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**From:** Bruce McMahan <bangels52@gmail.com>  
**To:** Dana Dean <danadean@utah.gov>  
**CC:** Daron Haddock <daronhaddock@utah.gov>, Steve Alder <stevealder@utah.gov>...  
**Date:** 10/22/2009 6:06 PM  
**Subject:** Re: FW: Alton Coal Development

Ms. Dean;

This so called sound science has not been supported by anything that you have offered or anything that I have learned through my research. My understanding of sound science indicates that coal mining has always been an archaic and dirty form of energy acquisition. Therefore to date it is a deleterious process. The point of the matter is that due to this, many of us believe that permitting a mine in close proximity to such sensitive public lands is in fact in violation of federal standards which protect such lands. This is the point of contention, your viewpoint and our viewpoint.

We do not need further information from you at this time but, trust that we will continue with our inquiry through the proper channels.

Bruce McMahan

On Thu, Oct 22, 2009 at 5:17 PM, Dana Dean <danadean@utah.gov> wrote:

> Mr. McMahan:  
>  
> I am sorry that I cannot respond to your technical questions one-by-one.  
> We value your comments, and have taken all public comments received in time  
> into account in our analysis of the Coal Hollow project and have made our  
> decision to issue a permit based on sound science and adherence to State and  
> Federal Law.  
>  
> If you, or any other aggrieved party would like to contest our decision,  
> you may do so, but at this point it must be done before the Board of Oil,  
> Gas and Mining as a formal matter. I refer you to the letter attached, and  
> previously distributed to all known commenters, for more information on how  
> to arrange for such a hearing.  
>  
> Thank you,  
>  
>  
> Dana Dean, P.E.  
> Associate Director - Mining  
> Utah Division of Oil, Gas, and Mining  
> (801) 538-5320  
> danadean@utah.gov  
>  
>  
> >>> Bruce McMahan <bangels52@gmail.com> 10/22/2009 10:47 AM >>>  
> Ms. Dean,  
>  
> We received your email response because we are involved in contesting the  
> Alton coal mine project as well. We reside in Panguitch, Utah.

>  
> Regardless of whether or not the coal mine claims to follow the strict  
> federal standards for compliance the primary question is why they were ever  
> given a permit when the project is so close to so many highly sensitive  
> federal/public lands (Bryce Canyon NP, Zion NP, Grand Staircase NM,  
> National  
> forest land, BLM, archaeological resources & sensitive water shed land)?  
> What studies, if any have been done to indicate the ability of the proposed  
> mining company to sustain this kind of activity without irreparable damage  
> (wind current studies, water drainage studies, wildlife studies,  
> archaeological site studies, particulate dust control studies)?  
>  
> We look forward to your response.  
>  
> Bruce and Luella McMahan  
>  
> ----- Forwarded Message  
> > From: Dana Dean <danadean@utah.gov>  
> > Date: Wed, 21 Oct 2009 18:14:44 -0600  
> > To: <ebretthauer@scinternet.net>  
> > Cc: Daron Haddock <daronhaddock@utah.gov>  
> > Subject: Re: Alton Coal Development  
> >  
> > Mr. Bretthauer:  
> >  
> > Based on your email I am not entirely sure what you are looking for.  
> >  
> > If you would like to know what standards the mine has met to obtain a  
> > permit, and for which they will be responsible during the mine life, they  
> > may be found in the laws and regulations listed below. Information as to  
> > how Alton Coal Development has specifically met those standards may be  
> > found  
> > in their application, and our Technical Analysis of the application.  
> > Those  
> > may be found in our Public Information Center, or online at  
> > <http://ogm.utah.gov/fs/filesbypermit.php?C0250005>. We would be glad to  
> > help  
> > you navigate to the information if you give us a call or come into the  
> > Public Information Center.  
> >  
> > I have attached our Decision Document and Proposed Permit - these are  
> > the  
> > culmination of our review and do not go into the detail that the  
> > Technical  
> > Analysis does. The Technical Analysis and other pertinent documents are  
> > too  
> > large to send by email.  
> >  
> > I realize that the regulations and laws don't make for good reading. I  
> > will  
> > try to summarize our process for you.  
> >  
> > In order to obtain a coal mining permit the applicant must demonstrate  
> > that  
> > the area they plan to mine can be reclaimed when mining is complete.  
> > Reclaimed means that the land is returned to its approximate original

> > contour, and can sustain the pre-mining land use or some higher or better  
> > use. They must meet stringent standards of performance relating to  
> > cultural  
> > resources, vegetation, soils, wildlife, geology, hydrology, and  
> > engineering.  
> > They must post a performance bond with the State, which will ensure the  
> > site  
> > will be properly reclaimed, even if the mining company goes bankrupt.  
> > Throughout the mine life they will be inspected by the State and Federal  
> > Office of Surface Mining and must be in continuous compliance. They have  
> > provided us with much data regarding the current status of the  
> > vegetation,  
> > wildlife, water, and cultural resources in and around the mine site and  
> > will  
> > be required to monitor them throughout the mine life and for a period of  
> > at  
> > least ten years afterward. Our regulations are designed to avoid  
> > negative  
> > environmental impacts off-site, and if such occur, they must be mitigated  
> > immediately.  
> >  
> >  
> > If you have further questions, and especially if I misunderstood your  
> > question, please let me know.  
> >  
> > Thank you,  
> > Dana Dean, P.E.  
> > Associate Director-Mining  
> > Utah Division of Oil, Gas and Mining  
> > danadean@utah.gov  
> > (801) 538-5320  
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> >  
> >  
> > -Public Law 95-87, The Surface Mining Control and Reclamation Act  
> > of  
> > 1977 (SMCRA)  
> > <http://www.osmre.gov/topic/SMCRA/SMCRA.shtm>  
> >  
> > -CFR 30 Parts 700 to the end  
> >  
> > [http://www.access.gpo.gov/nara/cfr/waisidx\\_07/30cfrv3\\_07.html](http://www.access.gpo.gov/nara/cfr/waisidx_07/30cfrv3_07.html)  
> >  
> > -Utah Code Title 40 Chapter 2  
> > [http://www.le.state.ut.us/~code/TITLE40/40\\_02.htm](http://www.le.state.ut.us/~code/TITLE40/40_02.htm)  
> >  
> > and -Utah Administrative Code Title R645 (particularly part 301)  
> > <http://www.rules.utah.gov/publicat/code/r645/r645.htm>  
> >  
> >  
> > > > Erich Bretthauer <ebretthauer@scinternet.net> 10/21/2009 2:41 PM >>>  
> > Please provide a copy of the conditions related to the subject  
> > development  
> > Erich Bretthauer  
> >  
> >

> > ----- End of Forwarded Message  
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